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1 MANATT, PHELPS & PHILLIPS, LLP  
 2 ROBERT A. ZEAVIN (Bar No. CA 073273)  
 3 E-mail: RZeavin@manatt.com  
 4 11355 West Olympic Boulevard  
 5 Los Angeles, CA 90064-1614  
 6 Telephone: (310) 312-4000  
 7 Facsimile: (310) 312-4224

8 MANATT, PHELPS & PHILLIPS, LLP  
 9 AMY B. BRIGGS (Bar No. CA 194028)  
 10 E-mail: ABriggs@manatt.com  
 11 KELLY L. KNUDSON (Bar No. CA 244445)  
 12 E-mail: KKnudson@manatt.com  
 13 One Embarcadero Center, 30th Floor  
 14 San Francisco, CA 94111-3719  
 15 Telephone: (415) 291-7400  
 16 Facsimile: (415) 291-7474

17 Attorneys for Plaintiff  
 18 LPL FINANCIAL CORPORATION, formerly known as  
 19 LINCSO/PRIVATE LEDGER CORP.

20 UNITED STATES DISTRICT COURT  
 21 SOUTHERN DISTRICT OF CALIFORNIA

22 LPL FINANCIAL CORPORATION,  
 23 formerly known as LINCSO/PRIVATE  
 24 LEDGER CORP.,

25 Plaintiff,

26 vs.

27 FIDELITY AND DEPOSIT COMPANY  
 28 OF MARYLAND,

29 Defendant.

30 No. 08 CV 0038 JAH BLM

31 NOTICE OF SETTLEMENT AND JOINT  
 32 MOTION TO VACATE JULY 8, 2008  
 33 ORDERS

34 This is to notify the Court that as of July 16, 2008, the parties in the instant action  
 35 have reached a settlement in principle. The parties are in the process of documenting the  
 36 settlement and, when final, this action will be dismissed in its entirety with prejudice.

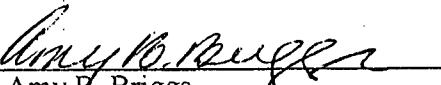
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1 Both parties made further progress in their settlement negotiations as a result of the  
 2 Early Neutral Evaluation. As a result, the parties hereby respectfully request and jointly move the  
 3 Court to vacate its July 8, 2008 Order to Show Cause Why Sanctions Should not Be Imposed.

4 In light of the settlement in principle, the parties further jointly move the Court to  
 5 vacate its July 8, 2008 Order Following Early Neutral Evaluation Conference and all deadlines  
 6 associated therewith.

7 Dated: July 18, 2008

MANATT, PHELPS & PHILLIPS, LLP

8 By: 

Amy B. Briggs  
*Attorneys for Plaintiff*

LPL FINANCIAL CORPORATION,  
FORMERLY KNOWN AS LINCSO/PRIVATE  
LEDGER CORP.

12 Dated: July 18, 2008

STEPTOE & JOHNSON

13 By: 

Paul Janaskie  
*Attorneys for Defendant*  
FIDELITY AND DEPOSIT COMPANY OF  
MARYLAND

17 Dated:

IT IS SO ORDERED.

20 BARBARA L. MAJOR  
United States Magistrate Judge

22 90022949.1